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10 Attorneys for Plaintiff
11 Barbara L. Champ

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13 **UNITED STATES DISTRICT COURT**
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15 **EASTERN DISTRICT OF CALIFORNIA**

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18 BARBARA L. CHAMP,) Case No.: 1:20-cv-00018-BAK (SKO)
19 Plaintiff,)
20 vs.) STIPULATION AND ORDER FOR
21 KILOLO KIJAKAZI,) THE AWARD AND PAYMENT OF
22 Acting Commissioner of Social) ATTORNEY FEES PURSUANT TO
23 Security,) THE EQUAL ACCESS TO JUSTICE
24 Defendant.) ACT, 28 U.S.C. § 2412(d) AND
25) COSTS PURSUANT TO 28 U.S.C. §
26) 1920

19 (Doc. 30)

20 TO THE HONORABLE JENNIFER L. THURSTON, MAGISTRATE
21 JUDGE OF THE DISTRICT COURT:

22 IT IS HEREBY STIPULATED, by and between the parties through their
23 undersigned counsel, subject to the approval of the Court, that Barbara L. Champ
24 be awarded attorney fees in the amount of four thousand one hundred forty-four
25 dollars and thirty-four cents dollars (\$4,144.34) under the Equal Access to Justice
26 Act (EAJA), 28 U.S.C. § 2412(d), and costs in the amount of four hundred dollars
(\$400.00) under 28 U.S.C. § 1920. This amount represents compensation for all

1 legal services rendered on behalf of Plaintiff by counsel in connection with this
2 civil action, in accordance with 28 U.S.C. §§ 1920; 2412(d).

3 After the Court issues an order for EAJA fees to Barbara L. Champ, the
4 government will consider the matter of Barbara L. Champ's assignment of EAJA
5 fees to Cyrus Safa. The retainer agreement containing the assignment is attached
6 as exhibit 1. Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521, 2529 (2010), the ability
7 to honor the assignment will depend on whether the fees are subject to any offset
8 allowed under the United States Department of the Treasury's Offset
9 Program. After the order for EAJA fees is entered, the government will determine
10 whether they are subject to any offset.

11 Fees shall be made payable to Barbara L. Champ, but if the Department of
12 the Treasury determines that Barbara L. Champ does not owe a federal debt, then
13 the government shall cause the payment of fees, expenses and costs to be made
14 directly to Law Offices of Lawrence D. Rohlwing, Inc., CPC, pursuant to the
15 assignment executed by Barbara L. Champ.¹ Any payments made shall be
16 delivered to Cyrus Safa.

17 This stipulation constitutes a compromise settlement of Barbara L. Champ's
18 request for EAJA attorney fees, and does not constitute an admission of liability on
19 the part of Defendant under the EAJA or otherwise. Payment of the agreed amount
20 shall constitute a complete release from, and bar to, any and all claims that Barbara
21 L. Champ and/or Cyrus Safa including Law Offices of Lawrence D. Rohlwing, Inc.,
22 CPC may have relating to EAJA attorney fees in connection with this action.

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25 ¹ The parties do not stipulate whether counsel for the plaintiff has a cognizable lien
26 under federal law against the recovery of EAJA fees that survives the Treasury
Offset Program.

1 This award is without prejudice to the rights of Cyrus Safa and/or the Law
2 Offices of Lawrence D. Rohlfing, Inc., CPC to seek Social Security Act attorney
3 fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of the
4 EAJA.

5 | DATE: March 17, 2022 Respectfully submitted,

LAW OFFICES OF LAWRENCE D. ROHLFING, INC., CPC

/s/ *Cyrus Safa*

BY: _____

Cyrus Safa
Attorney for plaintiff Barbara L. Champ

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11 DATED: March 17, 2022 PHILLIP A. TALBERT
12 Acting United States Attorney
13 PETER K. THOMPSON
Regional Chief Counsel
Social Security Administration

/S/ Oscar Gonzalez

OSCAR GONZALEZ
Special Assistant United States Attorney
Attorneys for Defendant
KILOLO KIJAKAZI, Acting Commissioner of
Social Security (Per e-mail authorization)

ORDER

22 Based upon the parties' foregoing STIPULATION FOR THE AWARD AND
23 PAYMENT OF ATTORNEY FEES PURSUANT TO THE EQUAL ACCESS TO
24 JUSTICE ACT, 28 U.S.C. § 2412(d) AND COSTS PURSUANT TO 28 U.S.C. §
25 1920 (the "Stipulation") (Doc. 30), **IT IS ORDERED** that attorney's fees in the
amount of four thousand one hundred forty-four dollars and thirty-four cents dollars

1 (\$4,144.34) under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), and
2 costs in the amount of four hundred dollars (\$400.00) under 28 U.S.C. § 1920, be
3 awarded subject to the terms of the Stipulation.

IT IS SO ORDERED.

6 | Dated: March 21, 2022

/s/ Sheila K. Oberto

UNITED STATES MAGISTRATE JUDGE

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